

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

MR. SPEAKER:

*Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 562, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 2, between lines 21 and 22, begin a new paragraph and insert:
2 "SECTION 4. IC 23-14-48-9 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) Except as
4 provided in ~~subsection~~ **subsections (b) and (c)**, a person who
5 knowingly violates this chapter commits a Class A misdemeanor.
6 (b) A person who makes a false or fraudulent representation as to
7 the existence, amount, investment, control, or condition of a perpetual
8 care fund of a cemetery for the purpose of inducing another to purchase
9 any burial right commits a Class C infraction.
10 (c) **A person who knowingly or intentionally uses funds in a**
11 **perpetual care fund or an endowment care fund established under**
12 **this chapter for purposes other than the perpetual care of the**
13 **cemetery for which the perpetual care fund or endowment fund**
14 **was established commits a Class C felony."**

Page 7, line 31, delete "Reimbursement of the amount originally paid for the" and insert **"If a person or an entity having jurisdiction over the cemetery has resold the burial space, reimbursement for the amount for which the burial space was resold minus the following:**

(A) The costs paid by the person or entity having jurisdiction over the cemetery in providing notice and advertising as required under this chapter.

(B) The sales commission costs in the resale of the burial space."

Page 7, delete line 32.

Page 7, line 41, delete "Class B misdemeanor." and insert **"Class A misdemeanor."**

Page 7, between lines 41 and 42, begin a new paragraph and insert:
 "SECTION 8. IC 30-2-9-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. **(a) Except as provided in subsection (b)**, a person who violates this chapter or makes any false and fraudulent report required under this chapter commits a Class B misdemeanor.

(b) A person who knowingly or intentionally uses funds in a funeral trust established under this chapter for purposes other than the purposes required under this chapter commits a Class C felony.

SECTION 9. IC 30-2-10-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. **(a) Except as provided in subsection (b)**, a person who knowingly violates this chapter commits a Class A misdemeanor.

(b) A person who knowingly or intentionally uses funds in a funeral trust established under this chapter for purposes other than the purposes required under this chapter commits a Class C felony."

Page 8, after line 18, begin a new paragraph and insert:

"SECTION 13. [EFFECTIVE JULY 1, 2007] **IC 23-14-48-9,**

1 **IC 30-2-9-7, and IC 30-2-10-9, all as amended by this act, apply**
2 **only to acts committed after June 30, 2007."**

3 Renumber all SECTIONS consecutively.
 (Reference is to SB 562 as printed February 21, 2007.)

and when so amended that said bill do pass.

Representative Summers